

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLAY CALDWELL,)	
Plaintiff)	
)	
vs.)	Civil Action No. 07-726
)	Judge Terrence F. McVerry/
JEFFREY A. BEARD, PH.D., Secretary of)	Magistrate Judge Amy Reynolds Hay
Corrections; LOUIS FOLINO,)	
Superintendent, S.C.I.-Greene; DONALD)	
WILLIAMSON, Classification and)	
Programing (Central Office); SGT.)	
GAGNON, Correctional Officer, SCI-)	
Greene; OFFICER HARKELROAD,)	
Correctional Officer, SCI-Greene; DEAN)	
GEEHRING, Mail Inspector Supervisor,)	
SCI-Greene; DAN DAVIS, Superintendent)	
Asst/Greivance Coordinator, SCI-Greene;)	
LAUREL HARRY, Unit Manager,)	
SCI-Greene,)	
Defendants)	

ORDER

AND NOW, this 28th day of September, 2007, after the Plaintiff, Clay Caldwell, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and objections having been filed by Plaintiff which are without merit, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that all but one of the claims contained in the Amended Complaint [10] are dismissed before service for failure to state a claim upon which relief can be granted pursuant to the screening provisions of the Prison Litigation Reform Act.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

s/ Terrence F. McVerry
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Clay Caldwell
EM-2163
SCI Greene
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